

# **EXHIBIT 28**

**Expert Report**

**Criteria for Layoffs and Gender Disparities in Citigroup's Public Finance  
Department: The case of Amy Bartoletti, Chia Siu, Nadine Mentor, Lisa  
Conley, and Brittany Sharpton v. Citigroup Inc. and Citigroup Global  
Markets Inc.**

By Louise Marie Roth

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<b>On the Instructions of:</b>	Thompson Wigdor LLP 85 Fifth Avenue New York, NY 10003
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<b>Specialist Field:</b>	Gender inequality in the workplace, especially the securities industry; equal employment opportunity.
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1. Assignment, Qualifications, and Materials Reviewed	2
2. Data on Gender Differences in the PFD before and after the 2008 RIFs	4
3. RIF Decision-Making in Citi's PFD	7
a. Lack of Formal Criteria for Inclusion in the RIF	8
b. The Performance Basis for RIF Decisions	9
4. Discretionary Decision-Making and Gender Inequality	12
a. Amy Bartoletti	15
b. Lisa Conley	19
c. Nadine Mentor	23
d. Terminating All Women in the Group	26
5. How Organizational Policies and Practices Can Minimize Bias	29
a. Citigroup EEO/AA and Diversity Policies	31
b. Monitoring and Oversight for Compliance	34
6. Summary and Conclusions	36
Appendix 1: Expert's Declaration	38
Appendix 2: References	39
Exhibit A: Previous Expert Testimony	45
Exhibit B: Curriculum Vitae of Louise Marie Roth	47

million in employee compensation,<sup>4</sup> with no specific criteria for how to make decisions and no apparent oversight concerning Equal Employment Opportunity and Affirmative Action (EEO/AA) compliance.

#### Lack of Formal Criteria for Inclusion in the RIF

21. When asked if he had given group heads criteria for determining candidates for the November 2008 RIF, David Brownstein said, “We had several requirements for economics, and so we would have shared downstream how the economics needed to work in order for us to fulfill our requirement to the firm” (Brownstein depo., pp. 57-58). According Francis Chin’s deposition, the strategy for achieving this goal was to charge the group heads with giving them feedback on whom to lay off by giving him names of their “weakest performers” (Chin depo., p. 37). Brownstein confirmed this strategy, saying, “My expectation was that they provided us with the names of people who could have the least impact on their ability to run their business properly” (Brownstein depo., p. 67). However, by asking the group heads to select people that they could live without, and giving them no details about how to evaluate the value of their employees or how many people they would need to cut, Brownstein and Chin left it up to the group heads to select people for termination without *any formal criteria* (Chin depo, p. 89, p. 159). Francis Chin said, “I told them I wanted them to find out who they felt they could live without. I told them compensation is an important consideration” (Chin depo., p. 159). David Brownstein also said explicitly, “I had no expectation on what they would take into account to accomplish the goal they needed to for us” (Brownstein depo, p. 68). Thus, the main criterion that concerned the senior managers was meeting their budget target, which they could have met in a variety of ways. Their method for meeting this target involved giving vague directives to group heads to select names for inclusion in the RIF based on subjective determinations of who constituted their “weakest performers” or whom they could “live without.”

22. To achieve this objective, Chin and Brownstein did not give most group heads a dollar figure to cut or a specific number of names to offer for layoff (Chin depo., pp. 38-39, pp.

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<sup>4</sup> When asked what the budget was, Francis Chin said, “I don’t recall the number, but I think it was below 20, but it was a pretty high number in my estimation” (Chin depo., p. 29). See also Chin depo., p. 30: “We were given an ask of \$20 million and see – and ask who would we RIF to meet that budget.”